

CORBETT AND WHITE MATCHED.

Lightweights Will Fight in London Next January.

New York, Oct. 18.—Young Corbett and James White, the English light-weight champion, were matched today to meet in London in January. Charley White of New York, will referee the contest. The men will weigh in at 135. Forfeits of \$2500 will be posted today.

Charley Mitchell, former English champion, puts up \$10,000 on White. George Considine will take Corbett to England.

Alaska Day at St. Louis.

St. Louis, Oct. 18.—Today is "Alaska Day" at the World's fair. Governor Brady of Alaska, President Francis of the exposition, and Judge Irwin of Juneau, are the speakers. A \$10,000 marble bust of William H. Seward, secretary of state at the time of the purchase of Alaska, was unveiled.

Socialists Are Barred.

Huntington, W. Va., Oct. 18.—The council last night refused permission to the socialists to hold a political meeting in the city hall tonight. The party may enjoy the city officers from interfering.

Denver & Rio Grande Meeting.

Denver, Col., Oct. 18.—The stockholders of the Denver & Rio Grande railroad held their annual meeting in this city today. Only routine business was transacted.

MOTHER-IN-LAW SHOT BY MISTAKE

BAKER COUNTY WOMAN KILLED FOR BURGLAR.

Leonard Foster, of Pine Valley, hears a noise in his house and shoots into the darkness, instantly killing Mrs. Beck, his wife's mother. Foster thought it was a midnight burglar. Inquest held at Pine Valley.

Baker City, Oct. 18.—Leonard Foster, a prosperous farmer living in Pine valley, about half way between here and Eagle valley, shot and killed his mother-in-law, Mrs. Beck, whom he mistook for a burglar last night.

The particulars, as near as can be learned, are that Mrs. Beck had occasion to get up some time in the night and Foster hearing the noise, jumped from his bed and fired, killing her instantly.

As soon as he realized what he had done, Foster immediately hastened for a doctor, but it was too late. County Coroner Snow was telephoned for but owing to his absence the inquest took place at Pine, five miles from the scene of the tragedy, where the body was removed today. Justice of the Peace Craig, presiding. No arrest will be made.

DIPPING ECHO CATTLE.

Thompson and Stanfield Will Dip 3000 Head on Butter Creek.

Cattle dipping on a large scale has begun in the Butter creek country, where Thompson & Stanfield last summer built a dipping apparatus in which two animals can be dipped at one time. Its capacity is between 300 and 400 head per day, and before present operations are ended the firm will dip nearly 3000 of their own cattle and several thousand head for the smaller feeders. Thompson & Stanfield began dipping last week, but an accident to the boiler forced a postponement of the work, which will be resumed this week.

Joseph Cunha, of Echo, will immediately build a dipping plant which will be one of the largest in the Northwest, its capacity being four animals at once. He is getting the materials on the ground at this time to use in the tank, and will prosecute the work as rapidly as possible. He has over 2000 head of his own cattle to dip.

The dipping which will be done by both the firms mentioned, is entirely voluntary, although it will be conducted under federal supervision. The arrangement of all details is according to the strictest requirements which the government makes and which experience has shown to be valuable. The dipping by the smaller feeders is also voluntary, and in all cases is done for self-protection, and to insure better results during the winter's feeding.

None of the stock which is to be dipped has yet been in the feed yards, or even near them, and will not be until the dipping is finished. They will be put on full feed for the winter immediately afterward.

Both the dipping plants mentioned will be operated by the deadfall and walk out system. Government Inspector Lantz states that there are a few cases of cattle mange in the Butter creek country, but only a few, and have been for some time, but that the cattle men of that district are putting themselves on the absolutely safe side.

RUSSIAN CENTER BROKEN, THEY RETREAT IN DISORDER

Oku's Army is Now in Possession of the Entire Line of Russian Trenches.

General Stoessel Will Abandon Port Arthur, Town Docks and Fortifications, With the Exception of the Fort of Lia Tishan—Japanese Attack on Russian Right Flank Repulsed—Russian Onslaughts on Three Japanese Armies on Monday Night, Were Repelled With Enormous Losses.

London, Oct. 18.—A correspondent of Reuter's with Oku's army reports that the Japanese are now in possession of the entire Russian line, excepting Small hill on the Russian left. The Russian center, he says, retreated in disorder.

Will Abandon Port Arthur.

Rome, Oct. 18.—A Tokio dispatch to Italia Militaire states that Oyama has asked for 75,000 reinforcements. The dispatch also states that General Stoessel, commander of Port Arthur is prepared to abandon the town, the docks and fortifications, with the exception of Lia Tishan, where there are provisions and munitions enough to last 10,000 men for six months.

Japanese Attack Repulsed.

St. Petersburg, Oct. 18.—Sakharoff reports under today's date: "The Japanese yesterday evening attacked our right flank in a considerable force, but were repulsed."

"We pushed forward and occupied positions at Shalantel. A number of corpses were buried on Putloff hill. The enemy is now concentrating in large numbers against our center. No fighting on our left yesterday."

Russians Everywhere Repulsed.

Tokio, Oct. 18.—Severe attacks on Monday night, were everywhere repulsed with heavy losses to the Russians.

Terrible Weather in Manchuria.

Mukden, Oct. 18.—It rained all night and day broke cold, with biting wind. The roads are ruined by the rain. The roar of artillery continued during the night.

Japanese Stocks Decline.

London, Oct. 18.—Japanese four jumped considerable today on the reports of Russian successes.

Russians Make Small Gains.

London, Oct. 18.—The Exchange Telegraph says a dispatch from St. Petersburg states that the general staff received a telegram which says

Evangelists Expected Tonight.

Rev. J. O. Westbrook and wife, of Tacoma, are expected to arrive tonight from Spokane and will probably conduct evangelist meetings in this place before returning to Tacoma via Portland. Mr. Westbrook and wife labor under the auspices of the Christian Gospel Missionary Association, the same organization with which the Rev. Booker Smith labors. Mr. and Mrs. Westbrook are the resident managers of a home for indigent old people and children at Tacoma.

Ohio Man Is Here.

W. M. Cater, of Cleveland, O., is in town, arriving here from Walla Walla, where he has been visiting friends. He stopped a week with Jacob Phelps and family of the state line, in Umatilla county, and will spend a day here at sight seeing. Mr. Cater is making a trip which he has long contemplated, and expects the event to terminate in his selling out

the Russian right on the 17th advanced and drove the Japanese from six positions. The Russians captured 16 guns, eight Maxims and the battle is still raging.

Russia Denounces Peace Idea.

St. Petersburg, Oct. 18.—A report from Washington to the effect that Roosevelt is inclined to believe the time for mediation in the far eastern war is approaching, has created an unfavorable impression in government circles here.

The idea of peace, it is asserted, could hardly come more inopportune, with the Japanese in the full flush of victory. The announcement aroused only resentment. No doubt, if Roosevelt would attempt to open the question at this time he would meet with a rebuff.

Japanese Keep Diaries.

St. Petersburg, Oct. 18.—The Novo Vremya's correspondent at the front states that every Japanese soldier carries a diary, in which he describes and often illustrates his adventures. Hundreds of these diaries have been picked up by the Russians. Most of them have rude pictures of the mikado at the beginning. General Kuro-patkin is sometimes caricatured in undignified positions. In one cartoon he stands before the czar, pointing to a wounded soldier with a twisted bayonet, and saying, "This is all that remains of my army."

"I am Matsukota, a private soldier," begins one diary, "of Samurais race, but fallen into poverty. Of Russians I have slain with rifle and bayonet ten. When the story of my adventures is complete I shall have slain ten tens." Here follows a skillfully drawn picture of a hundred Russians laid in a row.

Many of the diaries are filled altogether with poetry, and "Odes to Glory," written in true European strain are common. One booklet contained 20 pages of an eulogy over "my fallen brother, the child of eagle ancestors." After this followed a neat account of personal expenditure, the whole for three months amounting to three and a half yen.

all interests in Cleveland and his removal to the Northwest with his two sons, also of Cleveland.

Will Return in the Spring.

Henry Olsen, of Spokane, accompanied by his wife, were in town today, en route to Portland to visit with a son. They have been visiting another son, George, who lives near Adams. Mr. Olsen expects to return here next spring with the intention of buying lots and building thereon.

Doctor Looking for Location.

Dr. A. M. Passon, of Carthage, Mo., is looking for a location, arriving yesterday. He will tomorrow go with his friend, Ernest Lefever, who lives south of Foster, on a trip to Canyon City and other interior points, and then return. Dr. Passon is looking for a location.

The tongue is called the unruly member, but it has ruled many a household.

HOPE FOR GOVERNMENT IRRIGATION

The government irrigation project of Echo has not been abandoned and a renewal of interest among the people of Echo and vicinity is now being experienced.

The Echo Commercial Club has secured the appointment of committees from Echo, Coyote and Walla Walla and hope to have a committee appointed from Pendleton to meet in this city on Saturday, October 22, for the purpose of selecting some capable, efficient representative of the irrigation interests of this district, to confer with the government engineers, and place before them the actual conditions surrounding the Echo proposition, and to induce them to abandon, if possible, the reservoir plan, and prepare the tract for irrigation, under the canal system of winter irrigation.

Echo will be represented at the meeting next Saturday by Dr. C. J. Smith, H. C. Willis, Frank Van Cleave, O. D. Teel and J. B. Saylor. Walla

Walla by H. E. Johnson and Dr. N. G. Blalock, and Coyote by C. M. Warner.

It will be the purpose of the meeting to select some one man to gather statistics of the irrigated districts of Umatilla county showing that the amount of water which the government expects to use in storage reservoirs is not necessary to the full reclamation of that land, and to induce the government to make surveys for a system of diversion canals, from the Umatilla river, through which the winter floods may be used to reclaim the tract now included in the government reservation.

It is the belief of practical irrigators that the government expects to store more water than is necessary on that quality of soil, and that failing to find suitable storage facilities the engineers will abandon the tract.

The prime object of the commission to be appointed at this meeting is to secure government irrigation for the Echo district.

Will Prosecute Gamblers.

Portland, Oct. 18.—District Attorney Manning has emphatically declared that he will co-operate with Sheriff Tom Word in suppressing gambling. This determination on the part of Manning is said to be due to an understanding with the circuit court judges of Multnomah county, who will co-operate in crushing out the evil.

Fire Destroys Flax.

Salem, Oct. 18.—Fire has destroyed the Salem Flouring Mill and Warehouse, and also a warehouse containing \$50,000 worth of flax, which was to have been used by the proposed new flax mill. The destruction of the flax removes all hope for a mill this year. The total loss in the fire was \$100,000, and it is thought to have been incendiary.

Hearing of Machen Appeal.

Washington, D. C., Oct. 18.—The appeal of August W. Machen and his co-defendants in the postoffice conspiracy case came up for hearing today. This is the case in which Machen, Diller B. and Samuel Groff and George E. Lorenz of Toledo, O., were sentenced to two years in the penitentiary and to pay a fine of \$10,000.

Lesia Must Die.

Salem, Oct. 18.—The supreme court has affirmed the decision of the circuit court of Multnomah county in finding Martin Lesia guilty of murder in the first degree. Lesia must therefore hang, as sentenced.

FOOTBALL SEASON OPENS THURSDAY

GAME TO BE PLAYED BY PENDLETON TEAMS.

High School Eleven Will Play a Team Composed of Former High School and Pendleton Academy Students—High School Team in Fine Condition—Scrimmage Will Be a Lively One—Line-up of the Teams—First of a Series of Games.

The first game of football to be played in Pendleton this season will be called at 3:30 o'clock Thursday afternoon at the Alta street grounds. The opposing teams will be the high school eleven and a club composed of former high school and academy students. It is the intention of the high school boys to challenge the Hill Military Academy eleven for a game in the near future and the proceeds of Thursday's contest will be used to help defray the expenses of the match.

The high school team is in excellent condition. The opposing eleven contains several who have made enviable reputations on the gridiron in the past and a fast scrimmage is expected. The line-up of the former students' team follows:

Ralph Coon, center; Bliss Kelley, fullback; Frank Downey, quarterback; Sol Baum and George Gray, halves; Guy Wyrick and James Wyrick, ends; Bert Halley, tackle; Dean Shaw and Clyde Finch, guards; Van Cleve, tackle.

HOOD RIVER FRUIT.

Horticultural Commissioner Gives Wonderful Statistics of That District.

In his report to the state board of horticulture, R. H. Weber, horticultural commissioner of the Fourth District, will embody some interesting statements concerning the fruit raised in the vicinity of The Dalles, says The Dalles Chronicle.

He estimates that 1000 tons of Italian prunes, valued at \$15,000, will be the output this season, not to include Hungarians which brought a fancy price this year, some of them netting 94 cents a box. Fifty carloads of prunes found their way to Eastern markets, principally in New York, Philadelphia and Boston.

Of peach plums there were about 150 tons, valued at \$2250. Of apples, 40,000 boxes, at approximately \$30,000. Cherries, 80 tons, valued at \$3,200. Peaches, 35,000 boxes, \$15,000. Grapes, 150 tons. Over 5000 boxes of pears, \$3000. The quince crop is not large, perhaps 500 boxes.

Have Gone to Portland.

Evangelist Booker Smith and wife returned from Pilot Rock this morning and left on the morning train for Portland. Mr. Smith preached at the White school house Sunday morning and evening, and at Pilot Rock Monday evening. Since conducting the series of meetings last spring at Salvation Army hall in th's place, Mr. and Mrs. Smith have been in and near Boise, in the evangelist work. At Boise Mrs. Smith suffered a long siege of typhoid fever, from which she is slowly recovering.

Terra Cotta Coming.

Three carloads of terra cotta for the new school houses, is expected from Spokane today. May, the contractor, is ready to make immediate use of it.

SUPREME COURT ON INDIAN HEIRS

Petition for Rehearing of Case of Kalyton vs Kalyton is Denied.

SUPREME COURT CLAIMS

TO HAVE JURISDICTION.

Case Involving Title to Heirship Indian Lands on Umatilla Reservation, Reached a Decision Last December, But Petition Was Filed for New Hearing—Judge Moore Renders the Decision, in Which He Says the State Supreme Court Can Assist in Carrying Out the Objects of the Federal Law Covering Indian Land Titles.

A decision affecting the heirship to several thousand acres of lands on the Umatilla reservation, some of it very valuable land, has just been rendered by the state supreme court, Judge Moore rendering the decision, all the court concurring.

The decision referred to was in the case of Agnes Kalyton, by Louise Kalyton, her guardian ad litem, appellant represented by T. G. Halley, vs. Mary Kalyton et al., respondent, represented by H. J. Egan. The case reached a decision last December by the state supreme court on an appeal from Umatilla county. Then a petition for a rehearing was filed by the appellant, which petition raised the question of jurisdiction, which was not raised in the original case. In the opinion handed down yesterday the supreme court denied the petition for a rehearing, and in a full discussion of the jurisdictional question reaffirms its former decision. After discussion of the act of congress under which the land upon which the Umatilla reservation was allotted in severalty, and declaring in substance that the land is distributed to the allottees and their heirs in case of death as donees of the government, the court says:

The law of descent of the estate being applicable on the death of an Indian allottee, after the primary patent or certificate is issued, has a state court jurisdiction of the subject matter, and is its decree, determining the heirs in such cases valid?

"So long as the United States holds the lands in trust for Indian allottees, the title thereto remains in the general government, and the question as to whether or not a final patent therefor shall issue is to be determined by the secretary of the interior, thereby depriving state courts of all jurisdiction of the subject matter. If this were a suit to enforce the trust reserved, the United States would be an indispensable party, and as this can not be done by a state court, the decree rendered herein would be void."

"The determination by a state court of the heirs of a deceased Indian allottee is not, in our opinion, an execution of the trust. The finding of such fact is not an interference with the primary disposal of the soil, but is in aid of the general government in protecting the rights of its trust."

"Thus it was held that where a person had taken the initiatory steps to secure the title to public land, and received from the proper officers the necessary evidence thereof, he was entitled to the possession of the premises selected, and for any interference therewith by another without legal title or equal equitable claim, a state court, upon application of the entrymen would put him in possession of his rights."

"The rule is settled in this state that a person entitled to the possession of land the title to which is in the United States, will be protected in his right by our courts, when his possession has been unlawfully disturbed by another."

The principle at issue is the old question of jurisdiction of the federal and state courts, which has been often raised, and in many different phases, although the underlying contention has ever been the same. Other cases, notably that of Parr vs. Darnain, are pending involving the same issue. The doctrine of concurrent or joint jurisdiction by the federal and state courts is by this decision sustained, although the word "concurrent" is not used in the language of the decision. The decision says simply that the state also has jurisdiction while no one has ever questioned that the general government had jurisdiction.

Fighters Getting Ready.

Barney Mullen, who agrees to stop Jack Mitchell before the end of the 10th round in the bout at the Frazer next Monday evening, went into training Sunday morning. He is working out daily at the armory. Mitchell is working himself into shape for the match and expects to go into the ring at about 135. "I am going out of my class to fight Mullen," he said, "but I expect to put up a good fight and I believe I can win the go."